

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**
3 **(TRANSMITTAL INFORMATION AND MAILING CERTIFICATION)**
4

5 **Opposition No.:** 91184456
6 **TRADEMARK:** L'OREAL PARIS
7 **Application Serial No.:** 76/596,736
8 Applicant(s): Robert Victor Marcon
9 Opposer(s): L'Oreal USA, Inc. and L'Oreal S.A.
10 Opposer(s) Attorney: Robert L. Sherman
11 Reply Number: Communication - I
12 Number of Pages: Five (5)
13
14

15 **CERTIFICATE OF MAILING (USPTO)**

16 I hereby certify that this correspondence is being deposited with the U.S. Postal Service as EXPRESS
17 MAIL in an envelope addressed to, "U.S. Patent and Trademark Office, Trademark Trial and Appeal
18 Board, P.O. Box 1451, Alexandria, VA, U.S.A., 22313-1451".
19

20 **Certified Mail Serial No.:** EH 080628715 US
21 **Date of Deposit:** 23 June 2010
22 **Depositor's Signature:** Robert Marcon (Robert Marcon)
23
24

25 **CERTIFICATE OF SERVICE (OPPONENTS)**

26 I hereby certify that a true and complete copy of the foregoing correspondence has been served
27 on the Opposers' representative "ROBERT L. SHERMAN" by mailing said copy via U.S. Postal
28 Service EXPRESS MAIL to "Robert L. Sherman, Paul, Hastings, Janofsky & Walker LLP, 75 East 55th
29 Street, New York, NY, U.S.A., 10022".
30

31 **Express Mail Serial No.:** EH 080628707 US
32 **Date of Deposit:** 23 June 2010
33 **Depositor's Signature:** Robert Marcon (Robert Marcon)
34
35

CASE PARTICULARS

DEFENDANT (APPLICANT) INFORMATION

Name of Defendant: Robert Victor Marcon
Mailing Address: Street: 3471 Sinnicks Avenue
City/Province: Niagara Falls, Ontario
Country: Canada
Zip Code: L2J 2G6
Other Communications: Telephone: (905) 354-2543

OPPOSERS' INFORMATION

First Opposer: L'Oreal USA, Inc.
Mailing Address: 575 Fifth Ave., New York, NY, U.S.A., 10017
Other Communications: Unknown

Second Opposer: L'Oreal S.A.
Mailing Address: L'Oreal S.A., 14 rue Royale, Paris, France, 75008
Other Communications: Unknown

Opposers' Attorney: Robert L. Sherman,
Paul, Hastings, Janofsky & Walker LLP
Mailing Address: Street: 75 East 55th Street
City/State: New York, New York
Country: U.S.A.
Zip Code: 10022
Other Communications: Telephone: (212) 318-6000
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IN THE MATTER OF an Opposition by
L'Oreal USA, Inc. and L'Oreal S.A.
to Application Serial No. 76/596,736 filed by
Robert Victor Marcon
for the trademark "L'OREAL PARIS"
(Opposition No. 91184456)

COMMUNICATION - I
DEFENDANT'S PRETRIAL DISCLOSURES

This communication presents the Defendant's "Pretrial Disclosures". Said Pretrial Disclosures will consist of the Defendant's "Notice of Reliance" which will include those exhibits herein detailed below.

Second, the Defendant will not employ nor utilize any expert or non-expert witnesses in these opposition proceedings.

Third, the Opposers have requested an oral hearing before the Trademark Trial and Appeal Board. The Defendant, however, will not appear before said Board but rather will rely on the written arguments personally submitted on his behalf.

Fourth, it should also be noted that in a previous submission to the Trademark Trial and Appeal Board as well as the Opponent, namely Communication-B dated 30 October 2008, the Applicant prematurely submitted his "Notice of Reliance". This submission should be disregarded. Consequently, a new "Notice of Reliance" will replace the one erroneously sent and it will be the one herein detailed below.

The new "Notice of Reliance" will consist of the following exhibits:

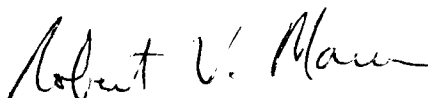
- (1) Exhibit-1: Origins of the name "OREAL";
- (2) Exhibit-2: Origins of the name "LOREAL";

- 102 (3) Exhibit-3: Origins of the name "PARIS";
103
104 (4) Exhibit-4: Elision in the French language;
105
106 (5) Exhibit-5: Intelius.com printouts of the name "OREAL";
107
108 (6) Exhibit-6: Intelius.com printouts of the name "LOREAL";
109
110 (7) Exhibit-7: Intelius.com printouts of the name "PARIS";
111
112 (8) Exhibit-8: Ancestry.com printouts of the name "OREAL";
113
114 (9) Exhibit-9: Wrestling printouts of the famous "Oreal Perras" known
115 professionally as "Ivan Koloff";
116
117 (10) Exhibit-10: Geographical references to the name "PARIS";
118
119 (11) Exhibit-11: Anatomical references of the word "LOREAL";
120
121 (12) Exhibit-12: Current commercial use of the word "OREAL" with variations;
122
123 (13) Exhibit-13: Other citations from the internet;
124
125 (14) Exhibit-14: USPTO printouts of the Opposers' live trademarks;
126
127 (15) Exhibit-15: Roster of various products belonging to the Opposers
128 downloaded from Wal-Mart.com;
129
130 (16) Exhibit-16: Opposers' request for Admissions and Responses;
131
132 (17) Exhibit-17: Opposers' request for Interrogatories and Responses;
133
134 (18) Exhibit-18: Opposers' request for Documents and Responses;

- 135 (19) Exhibit-19: List of all of the Defendant's trademark submissions;
136
137 (20) Exhibit-20: Past commercial activities regarding the Defendant's
138 "L'OREAL PARIS" trademark;
139
140 (21) Exhibit-21: Past commercial activities regarding some of the
141 Defendant's other marks;
142
143 (22) Exhibit-22: Various USPTO printouts regarding the mark "OLD DUTCH";
144
145 (23) Exhibit-23: Various USPTO printouts regarding the mark "SPITFIRE";
146
147 (24) Exhibit-24: Various USPTO printouts regarding the mark "TEMPEST";
148
149 (25) Exhibit-25: Various USPTO printouts regarding the mark "VIM";
150
151 (26) Exhibit-26: Various USPTO printouts regarding the mark "GREYHOUND";
152
153 (27) Exhibit-27: Various USPTO printouts regarding the mark "FINLANDIA";
154
155 (28) Exhibit-28: Various USPTO printouts regarding the mark "TRIUMPH"; and
156
157 (29) Exhibit-29: Various USPTO printouts regarding the mark "DUTCH BOY".
158

159 This concludes the exhibits, submissions and related information of the Defendant's new
160 "Notice of Reliance".

161 Respectfully submitted,

162 
163

164 Robert V. Marcon,
165 Defendant Pro Se
166
167 23 June 2010